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Paul M. Vargo
Welsh & Katz, Ltd.
120 South Riverside Plaza, 22nd Floor
Chicago, IL 60606

In re Application of	:	
Matthewson	:	
Application No. 10/048,076	:	
PCT No.: PCT/GB00/03171	:	
Int. Filing Date: 16 August 2000	:	DECISION
Priority Date: 16 August 1999	:	
Atty. Docket No.: FNL6318P0020US	:	
For: Information Coding Techniques	:	

This is in response to the "Renewal of Petition..." filed on 15 May 2003 and the "Petition To Reinstate Application Pursuant To 37 CFR § 1.181" filed on 09 December 2002.

BACKGROUND

This international application was filed on 16 August 2000, claimed an earlier priority date of 16 August 1999, and designated the U.S. A Demand electing the United States was filed prior to the elapse of 19 months from the priority date. The International Bureau transmitted a copy of the published international application to the USPTO on 22 February 2001. The 30 month time period for paying the basic national fee in the United States expired at midnight on 16 February 2002.

On 23 January 2002, applicants filed *inter alia* the basic national fee.

On 26 April 2002, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant, requiring the submission of an executed oath or declaration of the inventors.

On 15 November 2002. A Notification of Abandonment (Form PCT/DO/EO/909) was mailed to applicant, indicating that this application had become abandoned with respect to the United States for failure to timely reply to the 26 April 2002 Notification of Missing Requirements.

DISCUSSION

Petitioner requests that the holding of abandonment be withdrawn because a reply to the Notification of Missing Requirements was allegedly filed on 02 June 2002. In support of this allegation, petitioner presents a copy of a return postcard receipt itemizing *inter alia* an "executed Declaration for Utility of Design Patent Application" and stamped as "Rec'd

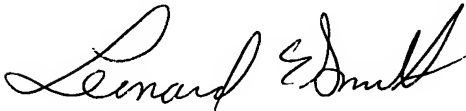
PCT/PTO 02 JUN 2002.”

MPEP 503 states in part that “A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO.” Pursuant to that practice, the declaration of the inventor filed on 15 May 2003 is being accepted as a copy of the declaration originally filed on 02 June 2002. As such, it would be appropriate to conclude that applicant timely replied to the Notification of Missing Requirements mailed on 26 April 2002; therefore, said Notification of Missing Requirements is hereby **VACATED**.

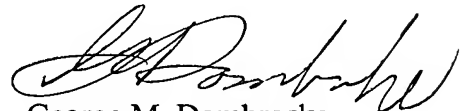
DECISION

The petition is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch for further processing. The application has an international filing date of 16 August 2000 under 35 U.S.C. 363 and a date under 35 U.S.C. 371(c)(1), (2) and (4) of **02 June 2002**.



Leonard Smith
PCT Legal Examiner
PCT Legal Office



George M. Dombroske
PCT Legal Examiner
PCT Legal Office
Tel: (703) 308-6721
Fax: (703) 308-6459